

AFFIDAVIT

NOW COMES, Lawrence H. Woodward, Jr. and states as follows:

BACKGROUND: I was appointed to represent Nathaniel Powell in criminal case 2:16cr97 on September 20, 2016. Per the Court's Order (ECF No. 182), I submitted an Affidavit (ECF No. 185-1) regarding my representation of Nathaniel Powell and addressed various issues he raised in a Motion to Vacate (ECF No. 168). On August 9, 2019, the Court denied four of the claims and granted an evidentiary hearing on two remaining claims. I address those claims now and will do so again at the evidentiary hearing:

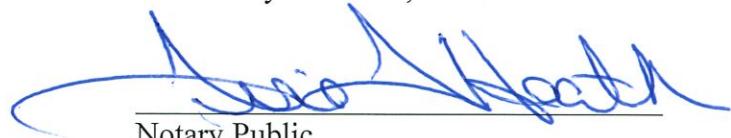
1. As I stated previously (ECF No. 185-1 page 2 ¶ 4), at no time after the plea did Mr. Powell indicate any desire to appeal.
2. I consulted with Mr. Powell about the right to file a Notice of Appeal and specifically, that he was waiving that right as part of the plea agreement he entered into with the United States. He indicated a clear understanding of the waiver of appeal.
3. Mr. Powell claims in his sworn affidavit to the Court (ECF No. 186-2 page 2 ¶ 4) that he asked me to get the lease agreement for the Gateway Drive address. I have no memory of being asked to do this and my file does not indicates any such request from Mr. Powell. At no time during my representation of Mr. Powell did I become aware of the lease he filed with the Court (ECF Nos. 170-1 and 186-1). He and I discussed the premises enhancement, and based on those discussions and my review of a summary of Ms. Wilson's statement to law enforcement, I raised an objection with the Court at sentencing (ECF No. 155 page 3 ¶ 4), which was overruled.

STATE OF VIRGINIA  
CITY/COUNTY OF VIRGINIA BEACH, to wit:

I, Lawrence H. Woodward, Jr. swear that this information is true and correct to the best of my knowledge and belief.

  
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Lawrence H. Woodward, Jr.

SUBSCRIBED and sworn to before me this 18<sup>th</sup> day of March, 2020.

  
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Notary Public

My Commission Expires: November 30, 2021      Registration #: 193519